

REMARKS/ARGUMENTS

The amendments set out above and the following remarks are responsive to the points raised by the Office Action dated April 4, 2006. In view of the amendments set out above and the following remarks, reconsideration is respectfully requested.

The Pending Claims

Claims 1-9 are currently pending. Claims 1, 3, 8, and 9 have been amended to describe the invention more clearly. No new matter has been added, and the basis for the amended claim language may be found within the original specification, claims, and drawings. The amendments to claim 1 are supported by, for example, paragraph [0027] of the specification. The amendments to claims 8 and 9 are supported by, for example, paragraph [0022].

Allowable Subject Matter

The Applicants are pleased to note the Office Action indicates that the prior art of record does not teach the particular structure of the “projecting element” and “finger” as illustrated in the present drawings. Claim 1 has, accordingly, been amended to recite that the projecting element has the shape of an L.

The Applicants are also pleased to note that the previous Office Action of October 4, 2005 indicated that claim 8 would be allowable if rewritten in independent form and to recite that the immobilizing element extends radially from the shaft at a predetermined distance from the head of the male piece, and that the protuberances have peripheral cutouts. Claims 8 and 9 have been amended to recite this position of the immobilizing element and that the protuberance(s) have peripheral cutout(s).

The Office Action

Claim 3 was rejected under 35 U.S.C. § 112, second paragraph as indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Claim 3 has been amended to improve the form of the claim and to more distinctly claim the subject matter which the Applicants regard as their invention. It is respectfully submitted that with these remarks and amendments to claim 3, the § 112 rejection has now been overcome and should be withdrawn.

Claims 1-7 and 9 were rejected under 35 U.S.C. § 102 as anticipated by U.S. Patent No. 6,206,606 to Mita et al. (hereinafter, "Mita").

Claims 1 and 4-9 were rejected under § 102 as anticipated by WO 00/49299 to Leon et al. (hereinafter, "Leon").

Claims 2 and 3 were rejected under 35 U.S.C. § 103 as unpatentable over Leon in view of U.S. Patent No. 6,004,065 to Higdon et al. (hereinafter, "Higdon").

Each of these rejections is separately and respectfully traversed. However, in order to expedite matters and allow the application to pass to issuance quickly, independent claim 1 has been amended to recite that the component projecting from the hollow head of the female piece has the shape of an L. As noted above, the Office Action indicated that the prior art of record does not teach the particular structure of the projecting element and finger as illustrated in the present drawings. In addition, claims 8 and 9 have been amended to include the language suggested in the Office Action of October 4, 2005. It is respectfully submitted that these amendments place amended independent claims 1, 8 and 9 in condition for allowance.

With respect to the rejection of claim 9 as anticipated by Mita, the Office Action characterized the side wall of tongue 15 of the male piece 3 as the claimed immobilizing element being connected to the head of the male piece. Anticipation requires that the cited reference disclose each and every element of the claim. Because Mita does not disclose every element of claim 9, the anticipation rejection of claim 9 cannot be maintained.

Claim 9 recites, *inter alia*, that the immobilizing element comprises at least one lateral protuberance having a peripheral cutout. However, Mita does not teach an immobilizing element comprising at least one lateral protuberance having, *inter alia*, a peripheral cutout which allows passage of the immobilizing element without hindrance by the finger when the male piece is inserted into the female piece, as claimed. Mita teaches that the tongue 15 continuously extends outwardly from the swelling wall 14 (col. 4, lines 20-21). However, Mita does not teach that the tongue 15 has a peripheral cutout, as claimed in amended independent claim 9. Because Leon does not disclose each and every element of amended independent claim 9, the anticipation rejection cannot be maintained.

With respect to the obviousness rejection of claims 2 and 3 over Leon in view of Higdon, the Applicants maintain that Leon cannot be combined with Higdon, and therefore the obviousness rejection cannot stand. According to the Office Action, it would have been

obvious to one of ordinary skill in the art at the time of the invention to modify the finger component of the device taught by Leon to be situated at the end of a projecting element as suggested by Higdon in order to better prevent accidental rotation of the male piece within the female piece when the male piece is in a fully inserted position, due to a more “positive locking,” yet releasable construction. The Applicants respectfully disagree and assert that the teachings of Leon and Higdon are not combinable.

Leon concerns a fastening device for holding together a stack of at least two panels. The fastening device of Leon comprises bosses 614, 615 on the female piece which engage in recesses 714, 715 in the head of the male piece. In Higdon, the clip member 40 comprises a tab 70 that engages in a recess 68 of washer member 50. The panels are assembled by insertion of the portion 58 of the washer member 50 in the keyhole slot 22 in the panel 14 and by locking the clip member 40 in an aperture 38 (col. 3, lines 53 to col. 4, line 3). To disassemble panel 14 from panel 12, the projecting portions 42 of the clip member 40 may be forced out of the aperture 38 (col. 4, lines 2-6). The rotational immobilization of the clip member 40 on the panel 12 and the washer member 50 is made by engagement of the tab portion 48 on the clip member 40 in a hole 74 in the panel 12, while the engagement of the finger 70 in the recess 68 secures the two members axially. Accordingly, one of ordinary skill in the art would not be led to modify the bosses 614, 615 to have the shape of the tabs 70 of Higdon. Moreover, the overall teachings of Higdon would not be useable with a hollow female piece.

Since the independent claims are allowable for the reasons set forth above, the dependent claims are also allowable because they depend from allowable independent claims.

Conclusion

For the reasons set forth above, reconsideration of the rejections is respectfully requested.

If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

Stephanie M. Lawley

Stephanie M. Lawley, Reg. No. 55362
LEYDIG, VOIT & MAYER
700 Thirteenth Street, N.W., Suite 300
Washington, DC 20005-3960
(202) 737-6770 (telephone)
(202) 737-6776 (facsimile)

Date: Oct. 4, 2006

SML/jj